IN RE: PETITION FOR RESIDENTIAL * BEFORE THE ZONING VARIANCE * ZONING COMMISSIONER S/S Lynch Road, 20 ft. E of Armoo Road * OF BALTIMORE COUNTY 7944 Lynch Road 12th Election District 7th Councilmanic District * Case No. 91-509-A Barbara A. Black Petitioner * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance from Sections 1802.3.C.1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 32 ft. rear setback for an open projection (deck) in lieu of the minimum 37-1/3 ft., as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the

This property is located within the Chesapeake Bay Critical Areas on Middle River and is subject to compliance with the recommendations to be made by the Department of Environmental Protection and Resource Management (DEPRM), pursuant to Section 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.), upon completion of their findings. The relief granted herein shall be conditioned upon Petitioner's compliance with said find-

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3/ day of 1164, 1991 that the Petition for a Zonina Variance from Sections 1802.3.c. and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 32 ft rear setback for an open project tion (deck) in lieu of the minimum 37-1/2 ft., in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

> 1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order: however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

AFFIDAVIT IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 7943 Lynch Rd. Ballo MO21222

That besed upon personal knowledge, the following are the facts upon which I/we have the request for a Besidential Zoning Variance at the above address: (indicate hardship or practical difficulty) O easier access to back yard to tend to 34r. old. @ large émagn for deck

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

AFFIANT (Handaritten Signature)

AFFINNT (Printed Name)

Sarbara Black
ANTIENT (Handwritten Signature) Barbara Black

APPINET (Printed Name)

BALBAKA BLACK

the Affiant(s) berein, personally known or setisfactorily identified to me as such Affiant(s), and made ceth in due form of law that the matters and facts hereinebove set forth are true and correct to the hest of his/her/their knowledge and belief.

AS WITHERS my hand and Notarial Seal.

6/23/91

91-509-11

Zoning Description

Beginning at a point on the south side of Lynch Road which is 60 ft wide at the distance of 20 ft east of the centerline of the nearest improved intersecting street Armco Road which is 60 ft wide. *Being Lot # 23 in the subdivision of Lynch Cove Town Houses as recorded in Baltimore County Plat Book #37, Folio #35, containing 3387 square feet or .078 acres. Also known as 7943 Lynch Road and located in the 12th Election District, 7th Councilmanic District.

Baltimore County
Zoning Commisio
County Office Building
111 West Chesopouke Av

6/24 91

THUBLE HEATERS OLD - DRIVER CARIANCE V ZNOVE DROTECHE - 989 JUTOL: \$50,00 LAST HAME OF OWNER: BLACK

CRITICAL AREA

04A04N0063NICHRC

JRH/mmn

3. Compliance with Critical Areas requirements to be submitted by DEPRM upon completion of their findings.

> Zoning Commissioner for Baltimore County

District // CF	Date of Posting 7/12-19/
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Petitioner: 12 10 10 10 10 10 10 10 10 10 10 10 10 10	
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the Renting Regulations of Bultimore County, to the Zoning Law of Bultimore County, for the following reasons:

(Bultimore County, for the following reasons:

(Bultim (3) 6'deck (which would be acceptable) would be smalltoo small for a deck.

- On Yacuss to Lackyard w through house out basement door.
Property is to be advertised end/or posted so prescribed by Zoning Regulations. I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this patition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/Me do solamnly declare and affirm, under the

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(5) 11:

day of June, 18 91, that the subject matter of this completes to preded on the property on or before the 14 day of July 19 9



Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

July 1, 1991

COPY

Baltimore, Maryland 21222

Re: CASE MURBER: 91-509-A LOCATION: S/S Lynch Road, 20' E of Armoo Road 7943 Lynch Road

Dear Petitioner(s):

Barbara A. Black

7943 Lynch Road

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before July 14, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is July 29, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will seen advertising of the public hearing and reposting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your Order to be held and incur a \$50,00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request, He also has the option to request a public hearing.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

> Very truly yours, 15/

3. 3. Stephens (301) 887-3391









